

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KATHERINE MAGERS,
Plaintiff,

No. 1:06-cv-767

-v-

HONORABLE PAUL L. MALONEY

UNUMPROVIDENT CORPORATION,
a/k/a PROVIDENT LIFE & ACCIDENT
INSURANCE COMPANY,
Defendant.

JUDGMENT

The Court has contemporaneously issued an opinion and order on cross motions for judgment, rendering a decision in favor of Plaintiff and against Defendant in this ERISA action. There are no outstanding motions or issues to be resolved. Accordingly, pursuant to FED. R. CIV. P. 58(a), **JUDGMENT** shall be entered in favor of Plaintiff Magers.

Consistent with Plaintiff's prayer for relief,

(1) Pursuant to 29 U.S.C. § 1132(a)(1)(B),

(a) Plaintiff is awarded the amount of monthly benefits she would have received under the terms of the policy between the time Defendant terminated benefits and the date of this judgment; and

(b) Plaintiff is entitled to receive monthly benefits under the long term disability plan and policy at issue, consistent with the terms of that plan and policy.

(2) Pursuant to 29 U.S.C. § 1132(g)(1), Plaintiff is awarded a reasonable attorney's fee and the costs of action. Plaintiff shall submit a proposed bill of costs by November 14, 2008.

IT IS SO ORDERED. THIS ACTION IS TERMINATED.

Date: October 16, 2008

/s/ Paul L. Maloney
Paul L. Maloney
Chief, United States District Judge